

PTO/SB/21 (02-04)

Approved for use through 07/31/2008 OMB 0651-0031
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TRANSMITTAL FORM <i>(To be used for all correspondence after initial filing)</i>		Application Number 10/772,479
		Filing Date February 5, 2004
		First Named Inventor Dixon, et al.
		Art Unit 3617
		Examiner Name vesudeva, Alay
Total Number of Pages in This Submission		Attorney Docket Number 6818-84

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JUN 29 2006

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> Alter Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension or Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below). <input type="checkbox"/> Notification of Error in Entity Status Appendix A
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Akerman Senterfitt/Michael K. Dixon, Reg. No. 46,665 P.O. Box 3188 West Palm Beach FL 33402-3188
Signature	
Date	June 29, 2006

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Michael K. Dixon, Reg. No. 46,665	
Signature		Date
		June 29, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 3 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO : 10/772,479 CONFIRMATION NO.: 4983

APPLICANT: Driscoll et al.

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FILED: February 5, 2004

JUN 29 2006

GROUP ART UNIT: 3617

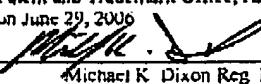
EXAMINER: Vasudeva, Ajay

ATTORNEY 6818-64
DOCKET NO.:

CUSTOMER NO.: 30448

FOR: Deployable and Autonomous Mooring System

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Patent and Trademark Office, Alexandria, VA	
on June 29, 2006	
	
Michael K. Dixon Reg. No. 46,665	
DATE: June 29, 2006	

NOTIFICATION OF ERROR IN ENTITY STATUS

Sir:

Small entity status was claimed in good faith and without deceptive intent for payment of U.S. Patent and Trademark Office filing fees in connection with the above-referenced application, based on the non-profit status of the assignee, Florida Atlantic University. However, it has recently come to our attention that one of the inventors is an employee of the United States Navy and that the application was also assigned to The United States of America as Represented by the Secretary of the Navy. Our research shows that the

07/05/2006 SLUANG1 00000003 500951 10772479

01 FC:1001	790.00 DA
02 FC:1201	600.00 DA
03 FC:1202	250.00 DA
04 FC:1251	120.00 DA

PAGE 3/5 * RCVD AT 6/29/2006 4:05:41 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/45 * DNIS:2738300 * CSID:5616596313 * DURATION (mm:ss):01:52

In Re Application of DRISCOLL et al
Application No. 10/772,479
Filed February 5, 2004
Group Art Unit 3617
Examiner Vasudeva, Ajay
For DEPLOYABLE AND AUTONOMOUS MOORING SYSTEM

Manual of Patent Examination and Procedure (MPEP) Section 509.02(VI) indicates that Federal agencies do not qualify as nonprofit organizations for paying reduced patent fees. Because the above-referenced application is jointly owned by the Navy, we do not believe that the above-identified patent application qualifies for small entity status.

In accordance with 37 C.F.R. § 1.28(c)(2), attached hereto as Appendix A is listing of the small entity fees previously paid and the deficiency owed, resulting from the erroneous payment of small entity fees.

The Commissioner is hereby authorized to charge the fee of \$1471.00 for the total deficiency amount owed pursuant to 37 C.F.R. § 1.28(c)(2)(ii)(C), any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,


Michael K. Dixon, Reg. No. 46,665
AKERMAN SENTERFITT
222 Lakeview Avenue
Suite 400
West Palm Beach, Florida 33401-6183
(561) 653-5000

Attorney Docket No.: 6818-64

Adjustment date: 07/05/2006 SLUANG1
02/11/2004 AADOP01 00000007 500951 10772479
01 FC:2001 385.00 CR
02 FC:2201 129.00 CR
03 FC:2202 45.00 CR

Adjustment date: 07/05/2006 SLUANG1
01/30/2006 HDESTA1 00000024 500951 10772479
01 FC:2251 60.00 CR

{WP304930:1}

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APPENDIX A

JUN 29 2006

<u>TYPE OF FEE</u>	<u>SMALL ENTITY FEE PAID & PAYMENT DATE</u>	<u>DEFICIENCY OF AMOUNT OWED</u>
Provisional Patent Application Fee	\$80 /February 5, 2003	\$120.00
Extra Claim Fees for Five Dependent Claims in excess of 20 total claims:	\$45.00 / February 5, 2004	\$205.00
Extra Claim Fees for 3 Independent Claims in excess of 3 Independent Claims:	\$129.00 / February 5, 2004	\$471.00
Utility Application Filing Fee:	\$385.00 / February 5, 2004	\$615.00
Petition for One-Month Extension of Time:	\$60.00 / January 26, 2006	<u>\$60.00</u>
TOTAL DEFICIENCY OWED:		\$1471.00

{WP304930:1}

PTO/SB/17 (12-04)

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Effective on 12/08/2004 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818)		Complete If Known	
Fee TRANSMITTAL For FY 2005		Application Number 10/772,479 Filing Date February 5, 2004 First Named Inventor Driscoll, et al. Examiner Name Vasudeva, Ajay Art Unit 367 Attorney Docket No. 6818-64	RECEIVED CENTRAL FAX CENTER JUN 29 2006
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$1,471.00)			

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify).

Deposit Account Deposit Account Number 5616596313 Deposit Account Name Akerman Senterfitt

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments
 under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity
Fee (\$) **Fee (\$)**

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP >	A	=				
HP = highest number of total claims paid for, if greater than 20						

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP > 0 X = 0

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s)

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

- 100 = 0 / 50 = (round up to a whole number) X = 0 = 0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other Fee Deficiencies Owed **Fees Paid (\$)**

\$1,471.00

SUBMITTED BY			
Signature	<i>MICHAEL K. DIXON</i>		Registration No. 46,665 (Attorney/Agent)
Name (Print/Type)	Michael K. Dixon		
			Date June 29, 2006

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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